

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES DOUD and MELODIE DOUD,

Plaintiffs,

v.

YELLOW CAB OF RENO, INC.,

Defendants.

3:13-cv-00664-WGC

ORDER

Re: ECF No. 137

Before the court is Plaintiffs' Motion for Brief Telephonic Status Conference. (ECF No. 137.)¹

The motion states that counsel for the parties met on September 17, 2015, to discuss the joint pretrial order, and Defendant's counsel stated that he intended to re-litigate the ADA Title III denial of service claims which Plaintiffs obtained summary judgment, as well as Defendant's Twenty-Fifth affirmative defense regarding Mr. Doud's status as an employee or independent contractor, to which the Plaintiffs also obtained summary judgment in their favor.


The court does not view a status conference is necessary. Plaintiffs were granted partial summary judgment as to their claims under Title III of the ADA. Plaintiffs were granted summary judgment in their favor as to Defendant's twenty-fifth affirmative defense, and it has been determined that Mr. Doud was an employee and not an independent contractor. These issues *will not* be re-litigated at the upcoming trial which concerns only Mr. Doud's discrimination and retaliation claims under Title I of the ADA, and Mrs. Doud's claim that she was denied service by Defendant's driver in violation of Nevada Revised Statute 706.366 when she was not permitted to travel in Defendant's taxi with her service dogs.

¹ Refers to court's Electronic Case Filing number.

1 The details of any proposed jury instruction to this effect can be discussed at the pretrial
2 conference. Therefore, Plaintiff's motion for a status conference is **DENIED**.

3 **IT IS SO ORDERED.**

4 Dated: September 18, 2015.


WILLIAM G. COBB
UNITED STATES MAGISTRATE JUDGE